

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNIVERSAL CITY STUDIOS	)	
PRODUCTIONS LLLP, a Delaware limited	)	
liability limited partnership; DISNEY	)	
ENTERPRISES, INC., a Delaware	)	
corporation; COLUMBIA PICTURES	)	
INDUSTRIES, INC., a Delaware corporation;	)	Case No.: 05-30086-MAP
and PARAMOUNT PICTURES	)	
CORPORATION, a Delaware corporation,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
DOES 1 - 6,	)	
	)	
Defendants.	)	

**PLAINTIFFS' MOTION FOR LEAVE TO TAKE DISCOVERY PRIOR TO RULE 26(f)**  
**CONFERENCE**

Plaintiffs, through their undersigned counsel, pursuant to Federal Rules of Civil Procedure 26 and 45 and Local Rule 26.2(A), the Declarations of Chad Tilbury, Thomas Mizzone and R. Christopher Harshman, and the authorities cited in the supporting memorandum of law, hereby move this Court for an Order granting Plaintiffs leave to take discovery prior to the Rule 26(f) conference.

In support thereof, Plaintiffs represent as follows:

1. Plaintiffs, among the world's leading motion picture studios, seek leave of the Court to serve limited, immediate discovery on a third party Internet Service Provider ("ISP") to determine the true identities of Doe Defendants, who are being sued for direct copyright infringement.

2. As alleged in the complaint, the Doe Defendants, without authorization, used an online media distribution system to download Plaintiffs' copyrighted works and distribute copyrighted works to the public, including by making copyrighted works available for distribution to others. Although Plaintiffs do not know the true names of the Doe Defendants, Plaintiffs have identified each by a unique Internet Protocol ("IP") address assigned to that Defendant on the date and time of the Defendant's infringing activity.

3. Plaintiffs intend to serve a Rule 45 subpoena on University of Massachusetts at Amherst ("U. Mass.") seeking each Defendant's true name, address, telephone number, email address, and Media Access Control ("MAC") address. Without this information, Plaintiffs cannot identify the Doe Defendants or pursue their lawsuit to protect their copyrighted works from repeated infringement.

4. Good cause exists to allow Plaintiffs to conduct this limited discovery in advance of a Rule 26(f) conference where there are no known defendants with whom to confer.

WHEREFORE, Plaintiffs move this Court to issue an Order granting Plaintiffs leave to take discovery prior to the Rule 26(f) conference.

Respectfully submitted,

Dated: April 22, 2005

/s/ Arthur F. Dionne

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